

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA,

VS.

NO. 5: 06-CR-120 (WDO)

ANDRES HERNANDEZ-ORNELAS,

Defendant

VIOLATION: ILLEGAL REENTRY

O R D E R

The above-named defendant this day appeared before the undersigned for an **INITIAL APPEARANCE HEARING** pursuant to provisions of Rule 5 of the Federal Rules of Criminal Procedure. The government has filed a motion seeking his pretrial detention. At said hearing, the court determined that U. S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) has filed a detainer on this defendant. Thus, his release from custody appears to be a moot issue at this time.

Accordingly, the court will HOLD IN ABEYANCE any consideration of release of this defendant from custody under the Bail Reform Act of 1984 until such time as the detainer is removed. Counsel for the government and for the defendant are directed to immediately advise the court of any such removal; in that event, the defendant shall be brought before this court FORTHWITH for consideration of the government's motion seeking his pretrial detention. The defendant shall be afforded every opportunity to contest the government's motion at that time. In the meantime, he shall remain in the custody of the U. S. Marshal for the Middle District of Georgia.

SO ORDERED, this 12th day of MARCH, 2007.



A handwritten signature in blue ink that reads "Claude W. Hicks, Jr."

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE